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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Staimer, et al.)	<p>I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on</p> <p><u>10/28/07</u> (Date)</p> <p><u>R. J. Jelde</u> Russell M. Jelde, Reg. No. 54,198</p>
Appl. No.	: 10/828,732)	
Filed	: April 21, 2004)	
For	: OPTICAL BIO-DISKS INCLUDING SPIRAL FLUIDIC CIRCUITS FOR PERFORMING ASSAYS)	
Examiner	: Unknown)	
Group Art Unit	: 1744)	
)	
)	
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**PETITION TO FILE DECLARATIONS ON BEHALF OF NONSIGNING INVENTORS WHO
REFUSE TO SIGN OR CANNOT BE REACHED UNDER 37 CFR 1.47(A)**

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts mailed June 29, 2004, Applicants hereby petition under the provisions of 37 C.F.R. § 1.47(a), that the Commissioner accept for filing and examine the above-identified patent application despite the fact that one of the five joint inventors named in this application have not executed an oath or declaration. Applicants have been unable to secure declarations of inventorship from the nonsigning inventor despite diligent efforts and numerous requests on behalf of the inventors who have executed declarations. In support for this petition, Applicants provide the following:

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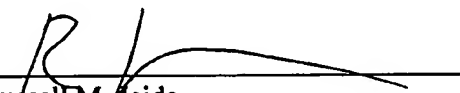
Rodney Norton, and Jay Oliver C. Jison make the application for patent on behalf of themselves and on behalf of the omitted inventor Mr. Mounphoxay, in accordance with 37 C.F.R. § 1.47 (a). Furthermore, Applicants respectfully submit that the Declaration of Inventorship executed by four of the five named inventors satisfies the requirement that all available joint inventors (i) make oath or declaration on their own behalf as required by 37 C.F.R. § 1.63 and (ii) make oath or declaration on behalf of the nonsigning joint inventor(s) as required by 37 C.F.R. § 1.64.

Applicants respectfully request that this petition under 37 C.F.R. §1.47(a) be granted and that the Applicants be allowed to file and prosecute the above-identified patent application without the signature of Mr. Mounphoxay. If there are any obstacles to a prompt approval of this petition, the Patent and Trademark Office is invited to call the undersigned attorney.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 10/28/04

By: 
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